

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

KERWIN D. SCOTT,)
)
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Plaintiff,)
)
)
v.) No. 4:13-CV-255-TIA
)
)
TERRY RUSSELL, et al.,)
)
)
Defendants.)

MEMORANDUM AND ORDER

This matter is before the Court on plaintiff's motion to amend by interlineation the prayer for injunctive relief set forth in his complaint [Doc. #11].

The Court does not accept amendments by interlineation. The Court will, however, allow plaintiff to file an amended complaint on a court form within thirty (30) days of the date of this Order. Because the Court is allowing plaintiff to amend his complaint, it will take no action as to the named defendants at this time. Plaintiff is advised that his amended complaint will replace his original complaint and will be the only complaint this Court reviews. *See In re Wireless Telephone Federal Cost Recovery Fees Litigation*, 396 F.3d 922, 928 (8th Cir. 2005). The Court will not consider any claims that are not included in the amended complaint, even if they were asserted in the earlier complaint.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion for leave to amend his complaint by interlineation [Doc. #11] is **DENIED** without prejudice.

IT IS FURTHER ORDERED that plaintiff shall file an amended complaint on a court form within thirty (30) days of the date of this Order.

IT IS FURTHER ORDERED that the Clerk of Court shall send plaintiff the court form titled "Prisoner Civil Rights Complaint under 42 U.S.C. § 1983."

Dated this 4th day of March, 2013.

/s/ Terry I. Adelman

UNITED STATES MAGISTRATE JUDGE